

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08MD1932-MU**

**IN RE FAMILY DOLLAR FLSA
LITIGATION**

Concerning all Member Cases

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ORDER

This matter is before the Court on Defendant's Motion to Terminate Tolling Agreement Pertaining to Collective Action Claims Under 29 U.S.C. § 216(B) (Doc. No. 715). The Court notes that the time for Plaintiff to file a response to Defendant's Motion has expired and Plaintiffs have failed to file a response.¹ Therefore, for the reasons stated in Defendant's motion, the tolling agreement reflected in this Court's July 15, 2008 Order (Doc. No. 60) is now terminated.

THEREFORE, IT IS ORDERED that Defendant's Motion to Terminate Tolling Agreement Pertaining to Collective Action Claims Under 29 U.S.C. § 216(B) (Doc. No. 715) is GRANTED.

¹ The Court also notes that the deadline, which the parties agreed upon, for filing a motion for conditional certification has passed. (Doc. No. 575 at 3).

SO ORDERED.

Signed: January 27, 2012

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

